REMARKS

The present response is to the Office Action mailed in the above-referenced case on May 29, 2008, non-final. Claims 1-41 are standing for examination.

Claim Rejections - 35 USC § 103

Claims 1-5, 12-16, and 27-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dunn et al. (US005999612A), in view of Has et al. (US006230137BI), further in view of Desai et al. (US 20030078779Al), and further in view of Vander Molen (US004520576).

Examiner's rejection

With regard to claim1 Dunn discloses,

a first connection port to allow a speech-based conversation to occur over the home-based broadband connection to the Internet network; (Dunn, col.2, lines 16-27, lines 32-42; col.3, lines 53-56; col.15, lines 39-57; fig.2)

Dunn discloses, "our solution is provide a special server/gateway for broadband networks, such as cable television networks, and unique adapters for residences served by these networks. In its preferred form, our adapter is a card internally installed in a computer. In addition to the computer, this adapter connects to the PSTN, the broadband network (or a modem connecting to that network), and one or more telephones"(Dunn, col.2, lines 16-22). Hence, Dunn teaches of a computer that includes an adapter containing ports for connecting to the Internet through either the broadband network of the service provider or through the public switched telephone network (PSTN).

a second connection port to allow a speech-based conversation to occur over a public switched telephone network (PSTN); and (Dunn, col.2, lines 16-27, lines 32-42; col.3, lines 53-56; col.15, lines 39-57; fig.2)

Dunn discloses, "our solution is provide a special server/gateway for broadband networks, such as cable television networks, and unique adapters for residences served by these networks. In its preferred form, our adapter is a card internally installed in a

computer. In addition to the computer, this adapter connects to the PSTN, the broadband network (or a modem connecting to that network), and one or more telephones" (Dunn, col.2, lines 16-22). Hence, Dunn teaches of a computer that includes an adapter containing ports for connecting to the Internet through either the broadband network of the service provider or through the public switched telephone network (PSTN).

However, Dunn does not explicitly teaches,

a plurality of speech engines that recognize speech and synthesize speech to allow the speech-based conversations to occur <u>over the first connection port and the second connection port</u>

Has teaches,

a plurality of speech engines that recognize speech and synthesize speech to allow the speech-based conversations to occur <u>over the first connection port and the second connection port</u> (Has, col.1, line 15 - col.14, line 50)

Has discloses, "a first device for inputting at least two speech signals designating the operating functions and/or the components of the household appliance; a second device, operatively connected to the first device, for recognizing the operating functions and/or the components designated by the speech signals; a third device, for converting the speech signals, after being recognized, into a given control command to operate the household appliance" (Has, col.2, line 67 - col.3, line 7). Hence, Has teaches of system with a second device (i.e., Applicants' speech engine) for recognizing (i.e., Applicants' recognize) the operating instructions and/or components designated by the speech signals (i.e., Applicants' speech). Has discloses, "The speech signal recognition is preferably carried out in a speaker-independent manner. However, it can also be carried out in a speaker-dependent manner in particular in a speaker-group-dependent manner. The speech of adults exhibits speech characteristics which distinguish them from the speech characteristics of children. In this embodiment of the household appliance according to the invention, children can be excluded from actuating the household appliance" (Has, col.5, line 66 - col.6, line 6) and "The speech signal recognition is preferably carried out in a speaker-independent manner, but the speech signal recognition can also be carried

out in a speaker dependent manner through the use of the second device 41, so that it becomes possible to authorize only specific persons, for example only the adult members of a household, to actuate the household appliance" (Has, col.9, lines 53-59). Hence, Has implies the use of multiple speech engines capable of distinguishing speech characteristics of children from adults so that children can be excluded from actuating the household appliances.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Has with the teachings of Dunn "to provide a household appliance which overcomes the above-mentioned disadvantages of the heretofore-known appliances of this general type and which provides a simple, reliable, and rapid speech-controlled operation for the household appliance" (Has, col.2, lines 10-14) "by allowing for seamless and effective integration of telephone services into cable networks and/or other broadband networks" (Dunn, col.2, lines 11-13); through the use of a central computer that includes an adapter containing ports for connecting to the Internet through either the broadband network of the service provider or through the public switched telephone network (PSTN).

However Dunn and Has do not explicitly teaches,

allow the speech-based conversations to occur over the first connection port and the second connection port

Desai teaches,

a plurality of speech engines that recognize speech and synthesize speech to allow the speech-based conversations to occur over the first connection port and the second connection port (Desai, para.1-255)

Desai discloses, "These are a set of COM+components that encapsulate hardware devices and speech recognition engines. Once the applications are written using these interfaces, they can be ported easily from one hardware device to another or from one recognition engine to another by simply replacing the corresponding HeyAnita Speech Object" (Desai, para.64). Hence, Desai teaches of multiple of speech engines (i.e., Applicants' plurality of speech engines that recognize speech and synthesize speech). Desai discloses,

"HeyAnita uses its proprietary technology and easy to use interface to create an informative and entertaining environment to attract and retain a large and loyal user base. In addition to its easily brandable name and concept, HeyAnita offers the most comprehensive array of voice enabled services and allows phone users to access the Internet in multiple languages. Appendix B sets forth some of the application features possible with the inventive HeyAnita system" (Desai, para.50) and "Multiple Language Support' HeyAnita Voice Platform has been designed to support international languages. Any application written on HeyAnita Voice Platform can be localized in any international language without any code changes"(Desai, para.60). Hence, Has implies the use of multiple speech engines capable of distinguishing speech characteristics of different users in different languages.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Desai with the teachings of Dunn and Has "to provide a household appliance which overcomes the abovementioned disadvantages of the heretofore-known appliances of this general type and which provides a simple, reliable, and rapid speech-controlled operation for the household appliance" (Has, col.2, lines 10-14) "by allowing for seamless and effective integration of telephone services into cable networks and/or other broadband networks" (Dunn, col.2, lines 11-13); through the use of a central computer that includes an adapter containing ports for connecting to the Internet through either the broadband network of the service provider or through the public switched telephone network (PSTN), Desai discloses, "The present invention relates to voice-based interactive user interfaces, particularly to interactive voice response systems, and more particularly to interactive voice response systems for accessing information from a computer network via remote telephony devices" (Desai, para.3).
However, Dunn, Has, and Desai do not explicitly teaches,
a plurality of speech engines that recognize speech and synthesize speech to allow the speech-based conversations to occur over the first connection port and the second connection port Vander Molen teaches,

a plurality of speech engines that recognize speech and synthesize speech to allow the speech-based conversations to occur over the first connection port and the second connection port (Vander Molen, col.2, lines 15-68; col.3, line 14 - col.4, line 47) Vander Molen discloses, "the basic components of the system comprise a speech recognition module 50, a speech synthesis module 52, a master control microcomputer 53 and the appliance control system 5 6 (Vander Molen, col.4, lines 2-6). Hence, Vander Molen teaches of a system that includes a speech recognition module as well as a speech synthesis module.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Vander Molen with the teachings of Dunn, Has, and Desai to provide **a** conversational voice command control system "household appliance which overcomes the above-mentioned disadvantages of the heretofore-known appliances of this general type and which provides a simple, reliable, and rapid speech-controlled operation for the household appliance" (Has, col.2, lines 10-14) "by allowing for seamless and effective integration of telephone services Into cable networks and/or other broadband networks" (Dunn, col.2, lines 11-1 3); through the use of a central computer that includes an adapter containing ports for connecting to the Internet through either the broadband network of the service provider or through the public switched telephone network (PSTN).

Applicant's response

Applicant herein amends the independent claims 1 and 27 to particularly recite a personal software application retrieval module that retrieves personal information from a software application based upon a personal software application voice command of the user; wherein a user connects to the computer via the broadband connection in order to provide at least one personal software application voice command.

Applicant points out that said limitations are from standing dependent claim 6 and 30; therefore said claims are herein canceled. Applicant points out that the Examiner's

rejections and relied upon art for claims 6 and 30 fell short of creating a prima facie case of obviousness against said claims.

Regarding claim 6, the Examiner states:

"Claims 6-11 and 30-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dunn et al. (US005999612A), in view of Has et al. (US006230137BI), further in view of Desai et al. (US 20030078779Al), further in view of Vander Molen (US004520576), and further in view of Kurganov et al. (US006721705B2).

With regard to claims 6 and30, Dunn, Has, Desai, and Vander Molen disclose, See claims 1 and 27 rejection as detailed above. However, Dunn, Has, Desai, and Vander Molen do not explicitly disclose, a personal software application retrieval module that retrieves personal information from a software application based upon the personal software application voice command of the user.
Kurganov teaches,

a personal software application retrieval module that retrieves personal information from a software application based upon the personal software application voice command of the user. (Kurganov, col.2, lines 59-63; col.5, lines 48-53) Kurganov teaches of a system that includes a database containing user profile information to assist the system in searching and retrieving information according to the user's voice commands.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Kurganov with the teachings of Dunn, Has, Desai, and Vander Molen to enhance the system by including a database which contains user profile information to assist the system in searching and retrieving information according to the user's voice commands.

Applicant respectfully disagrees with the Examiner's above interpretation of the art. Further, applicant points out that the filing date of the current invention is January 12, 2001. The filing date of Kurganov is February 5, 2001. Applicant acknowledges that provisional applications were filed in 2000 for Kurganov. Applicant requests the Examiner provide said provisional applications as the teachings of Kurganov, relied upon

by the Examiner, must be contained in the provisional applications, as Kurganov's published patent is filed after applicant's invention.

Applicant argues that the portions of Kurganov, specifically col. 2, lines 59-63 and col. 5, lines 48-53 absolutely fail to teach or suggest the limitations of claim 6,which include; *"wherein a user connects to the computer via the broadband connection in order to provide at least one personal software application voice command, said computer further comprising:*

a personal software application retrieval module that retrieves personal information from a software application based upon the personal software application voice command of the user."

Said portions of Kurganov recite that the invention provides a system and method that enables searching and retrieval of publically available information by controlling a Web browser via naturally spoken voice commands. Additionally, column 5 of Kurganov teaches that the database contains pre-recorded audio files and customer profile information… and any other data or software servers necessary for the testing or administration of the voice browsing system.

Applicant does not believe a Web browser operating via voice accessing public information on the Web necessarily reads upon applicant's claimed voice command over a broadband connection, at least one personal software application voice command, and a personal software application retrieval module that retrieves personal information from a software application based upon the personal software application voice command of the user. Applicant reminds the Examiner that claim 8 further limits the software applications to software selected from the group consisting of personal information management software, financial software, electronic mail software, and combinations thereof. Kurganov describes Web sites and public information. Therefore, it would not be obvious to combine the teachings of Kurganov with the balance of the art to perform applicant's claimed invention.

Therefore, applicant believes claims 1 and 27, as amended, are clearly patentable over the art provided by the Examiner. Dependent claims 2-5, 7-26 and 28-29 and 31-42

are patentable on their own merits, or at least as depended from patentable claim.

It is therefore respectfully requested that this application be reconsidered, the claims be allowed, and that this case be passed quickly to issue. If there are any time extensions needed beyond any extension specifically requested with this amendment, such extension of time is hereby requested. If there are any fees due beyond any fees paid with this amendment, authorization is given to deduct such fees from deposit account 50-0534.

Respectfully submitted,
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